

# Little Calumet River Basin Development Commission

8149 Kennedy Avenue Highland, Indiana 46322 (219) 923-1118

*Sandy*

## MEETING NOTICE

THERE WILL BE A MEETING OF THE  
LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION  
AT 6:30 P.M. THURSDAY, MARCH 1, 1990  
AT THE OFFICE OF THE REGIONAL PLANNING COMMISSION  
8149 KENNEDY AVENUE  
HIGHLAND, INDIANA

### A G E N D A

Pages

✓ DOYLE NIEMEYER, Chairman  
Governor's Appointment

✓ ARLENE COLVIN, Vice-Chairperson  
Mayor of Gary's Appointment

✓ CLYDE BAUGHARD, Treasurer  
Governor's Appointment

✓ WILLIAM CRITSER, Secretary  
Governor's Appointment

✓ CHARLES AGNEW  
Governor's Appointment

✓ GEORGE CARLSON  
Mayor of Hammond's Appointment

✓ RUDOLPH CLAY  
Lake County Commissioners' Appointment

✓ STEVE DAVIS  
Dept. of Natural Resources' Appointment

✓ JOHN DEMEO  
Governor's Appointment

✓ DAVID SPRINGMAN  
Governor's Appointment

✓ WILLIAM TANKE  
Porter County Commissioners' Appointment

DAN GARDNER  
Executive Director

1. Call to Order by Chairman Doyle Niemeyer
2. Recognition of Visitors, Guests
3. Approval of minutes of February 1, 1990 meeting
4. Acknowledgement of new Commission members
  - Rudy Clay, Lake County Commissioners' appt.
  - Steve Davis, DNR appt.
  - George Carlson, Mayor of Hammond's appt.
5. Reports of Standing Committees

A. Finance/Policy Committee - Clyde Baughard, Treasurer

- Financial status report
- Approval of claims for February
- Other issues

B. Legislative Committee - George Carlson, Chairman

- Corps project coordinating meeting to be held 2:30 p.m. Thursday, March 1st
- Federal issues
- State issues

*Richard Bundy Jr.  
Terry M.C.  
Terry Pogor  
Harold*

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C. Land Acquisition/Management Committee -  
Charles Agnew, Chairman

- Committee meeting at 5:30 p.m.
- Appraisals, offers, acquisitions, recommended actions
- Farm land lease bids due March 5, 1990
- Other issues

D. Interim Flood Control/Planning Committee -  
Clyde Baughard, Chairman

E. Breakwaters/Marina Committee - Bill Tanke,  
Chairman

- Detroit meeting re: Portage marina developments & channel dredging
- Committee meeting to be scheduled

6. Other Business

7. Statements to Board from the floor

8. Set date for next meeting, adjournment

MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION  
HELD AT 6:30 THURSDAY, FEBRUARY 1, 1990  
AT THE COMMISSION OFFICES  
8149 KENNEDY AVENUE, HIGHLAND, INDIANA

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Chairman Doyle Niemeyer called the meeting to order at 6:35 p.m. Six (6) Commissioners were present. Quorum was declared and guests were recognized.

Development Commissioners:

George Carlson  
Doyle Niemeyer  
Clyde Baughard  
Arlene Colvin  
Charles Agnew  
John DeMeo

Visitors:

Steve Davis - IN DNR  
Parks Dept.  
Dick Wawrzyniak - IN DNR  
Pete & Mary Ann Zak - South  
Shore Marina  
Jerry Castle - Munster  
Robin Biesen - Post Tribune

Staff:

Dan Gardner  
Lou Casale, Attorney  
Sandy Mordus  
Bruce Stouffer

A motion was made by Clyde Baughard to approve the minutes of the January 4th meeting; seconded by Arlene Colvin; motion passed unanimously.

Chairman Doyle Niemeyer presented outgoing Chairman John DeMeo a plaque for his tenure as serving as Chairman for the years 1988 and 1989.

Finance/Policy Committee - Treasurer Clyde Baughard presented the financial report for December as well as the claims. There was one addition to the claim sheet which was \$305 for Harley Snyder Company for treasurer bonding for the year 1990. Mr. Baughard made a motion to approve the pending claims; motion seconded by Chuck Agnew; motion passed unanimously.

Legislative Committee - Committee Chairman George Carlson referred to the letter contained in packet written by staff to the Corps detailing the Commission's intent to have a signing ceremony to initiate construction start for the long-awaited Little Calumet River flood control/recreation project. He stated that the event should take place in northwest Indiana since that is the area most benefited. He also felt that Gary would be the logical city selected to host the event since it is the city most directly benefiting and the first phase will begin there. The letter listed those who would be invited, such as the senators, congressman, governor, area legislators, elected county, city and town officials, DNR, Chambers of Commerce, environmental support groups, area business leaders, news media, etc. Signing ceremony is expected to take place in late May of this year.

Mr. Gardner announced that he has completed the Financial Capability analysis requested by the Corps and has mailed it out to them. Copies will be provided to the Commission.

Staff met with the Corps in Chicago, along with Dick Wawryzniak and Vic Wen

ning of the IDNR, to establish a better understanding of the permitting procedures in the overall flood control plan and its various aspects. The meeting was requested by the DNR.

Mr. Gardner also brought to the attention of the Corps, some important local issues that still must be resolved. They include such issues as Burr Street levee protection, Gary sewer projects, junkyards within the project boundaries, coordination with Gary Park Board, greenhouse relocation, flood warning system. etc. There are some critical questions yet that need answers. We will be meeting with Gary park officials on a regular basis.

Mr. Gardner reported to the Commission that he had attended the National Association of Regional Councils meeting recently held in Washington. Among regional items discussed was the flood control/recreation project. Not only has Federal monies of 2.4 million been appropriated for first phase construction but \$3.3 million has been placed in the President's budget for next year.

Mr. Gardner referred to the letter written by Frank Sullivan, State Budget Agency Director, to David Wallin, Regional Economist for the Corps of Engineers. The Corps also had requested the present financial condition of the State of Indiana. Mr. Sullivan's reply to the Corps was very positive and supportive.

Land Acquisition/Management Committee - Committee Chairman Chuck Agnew reported that 28 land owners have signed Options to Purchase. Staff is continually working toward obtaining signed options. At present, Gary Redevelopment Commission is contacting homeowners that require relocation in the Tolleston Club area.

Mr. Agnew reported that a signed lease has been received from Keith Eller for the fishing season of 1990.

Interim Flood Control Committee - Dan Gardner reported that Penn Central enlargement of culverts will improve water flow. Permits still need approval. Ten Ech Engineering is still working on obtaining those permits, both from the Corps and DNR. The Basin Commission has about \$170,000 earmarked for the project. Monies to fund the remaining cost to complete that project must be found from other sources. Although the work is non-creditable to the Development Commission for project purposes, the Basin Commission feels it is a critical need and has made this their priority project in 1990.

Mr. Gardner informed the Commission that staff is in the process of putting together a work scope for an engineering firm to oversee the construction project. The Interim Flood Control Committee would probably be the committee that would oversee the contract and report back to Commission.

Breakwaters/Marina Committee - In Committee Chairman William Tanke's absence, Dan Gardner gave the report. He stated that a meeting was held with NIPSCO in order to resolve issues. In general, they accepted JJR's plans for marina construction. They still are requiring additional grading in the taking out of sand and they want some clearance identified under the lines. JJR will submit a proposal to the Commission for the next phase.

Mr. Gardner reported he is still trying to arrange a meeting with union officials in order to allow for the sand removal by the U. S. Marine Corps Reserves.

Mr. Gardner stated he attended the DNR hearing in Indianapolis in which the three Portage marina permits were conditionally approved. Mr. Gardner referred to the Position Statement contained in packet he submitted at the meeting. It states that the Development Commission is supportive of private marina development but stresses that a public access marina still needs to be provided.

LCRBDC Minutes  
February 1, 1990  
Page 4

Chairman Niemeyer announced to Commission that Lake County Commissioner Rudolph Clay has been appointed to the Little Calumet River Basin Development Commission. He is a Lake County Commissioners' appointment and replaces Jack Swike.

There being no further business, the meeting was adjourned at 7:40 p.m.

The next meeting date was scheduled for March 1, 1990.

/sjm





THE BOARD OF COMMISSIONERS  
OF THE COUNTY OF LAKE

2293 NORTH MAIN STREET  
CROWN POINT, INDIANA 46307

PHONE: 755-3200

RUDOLPH CLAY, First District  
STEVE C. COREY, Second District  
ERNEST NIEMEYER, Third District

January 23, 1990

Mr. Dan Gardner  
c/o Little Calumet River Basin Development  
Commission  
8149 Kennedy Avenue  
Highland, Indiana 46322

Dear Mr. Gardner:


I understand that the L.C.R.B.D.C., has a need for the Board of County Commissioners to appoint a person to the Commission.

We are appointing Commissioner Rudolph Clay to replace Mr. Jack Swike.

Thank you for your cooperation.

Sincerely,

THE BOARD OF COMMISSIONERS  
OF THE COUNTY OF LAKE

  
RUDOLPH CLAY, PRESIDENT

  
STEVE C. COREY

ERNEST NIEMEYER

hh/



OFFICE OF THE GOVERNOR  
INDIANAPOLIS, INDIANA 46204 - 2797

EVAN BAYH  
GOVERNOR

February 5, 1990

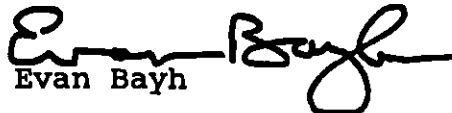
Mr. John Demeo, Chairman  
Little Calumet River Basin Development Commission  
8149 Kennedy Avenue  
Highland, Indiana 46322

Dear John:

Mr. Gerald Pagac has been a member of your commission, but due to his new position as Director of the Division of State Parks, he will no longer be active as a commission member.

For this reason, pursuant to Indiana Code 14-6-29.5-2, I now appoint Mr. Steve Davis as a member of the commission to replace Mr. Pagac. Mr. Davis is highly recommended by the Department of Natural Resources and has been attending commission meetings. He will serve the rest of Mr. Pagac's term.

Sincerely,

  
Evan Bayh

EB/bp



THOMAS M. McDERMOTT, MAYOR  
SANDRA DEMPSEY, ADMINISTRATIVE ASSISTANT



CITY OF HAMMOND, INDIANA 46320

5925 CALUMET AVENUE

PHONE (219) 853-6301

February 20, 1990

Mr. Dan Gardner  
Executive Director  
Little Calumet River Basin  
Development Commission  
8149 Kennedy Avenue  
Highland, Indiana 46322

Dear Dan,

Please be aware that I am reappointing Mr. George Carlson of 7343 Arizona Avenue, Hammond, Indiana as my representative on the Little Calumet River Basin Development Commission. His term will be from January 1, 1990 until December 31, 1993.

If you have any questions regarding this appointment, please do not hesitate to contact me.

Sincerely,

Thomas M. McDermott, Mayor  
City of Hammond, Indiana

TMMc:smd

cc: George Carlson

MERCANTILE NATIONAL BANK

JANUARY 1, 1990 - JANUARY 31, 1990

CASH POSITION - JANUARY 1, 1990

Checking Account		
Land Acquisition	\$	19,369.97
General Fund		55,692.86
Tax Fund		1,124.07
Investment		<u>916,500.00</u>
		\$992,686.90

RECEIPTS: JANUARY 1, 1990 - JANUARY 31, 1990

Lease Rents	\$	13,585.53
Interest		1,805.63
Land Acquisition		<u>39,034.69</u>
		\$ 54,425.85

DISBURSEMENTS: JANUARY 1, 1990 - JANUARY 31, 1990

1989 Expenses	\$	15,988.84
L/A Professional Services		
(c) Engineering		1,100.00
(d) Land Purchase Contractural		417.19
(e) Operational Contractural		<u>822.50</u>
TOTAL DISBURSEMENTS:		\$ 18,328.53

CASH POSITION - JANUARY 31, 1990

Checking Account		
Land Acquisition	\$	50,607.22
General Fund		60,552.93
Tax Fund		1,124.07
Investment		<u>916,500.00</u>
		\$1,028,784.22



INDIANA DEPARTMENT OF NATURAL RESOURCES

PATRICK R. RALSTON, DIRECTOR

Division of Water  
2475 Directors Row  
Indianapolis, Indiana 46241  
317-232-4160

February 21, 1990

Dr. Norman C. Hester  
State Geologist  
Indiana Geological Survey  
611 N. Walnut Grove  
Bloomington, Indiana 47401

Dear Dr. Hester:

The purpose of this letter is to request an estimate of cost to perform some drilling and testing for us. The purpose of the testing is to determine if the material in the Portage marina site is suitable for use as beach nourishment on the shore of Lake Michigan.

The Portage marina site is located in Section 25 and 36, T. 37 N., R. 7 W. which is on the south side of U.S. Highway #12, on the west side of the Burns Waterway. A copy of a portion of the Portage topographic map with the area outlined is enclosed.

We request six test holes as shown on the attached copy of a photograph. This area had been mined at one time for road fill material. The western line of three holes should be located from fifty to one-hundred feet east of the east bank of the Burns Waterway. The north and south hole of the three should be at the toe of the slope. The eastern most hole should be located at the eastern edge of the mined area and at the western toe of the east slope. The center row of two holes should be located between the two outside rows of test holes.

These tests are to be a representative sample of the material in the area. Therefore we feel it will be best to locate these six locations by visual observation and then referenced in by measurements.

We have not yet been able to determine the surface elevation at the test holes; but we estimate the depth of the hole to be about thirty feet.

The samples to be collected and the tests for mechanical properties should be done according to the material collected by Steve Davis that I sent to you last week. This material will be submitted to the Department of Environmental Management who will determine if additional tests should be conducted on the samples.

Dr. Norman C. Hester  
February 21, 1990  
Page Two

All we are requesting now is a cost estimate to collect the samples and to conduct the mechanical tests. Since you will have the samples, would you be willing to obtain later additional testing if required? The cost of the future testing will be requested later when the specifics are known.

I am assuming that it will not make any difference to you whether you are doing the work for the Division of Water or for the Little Calumet River Basin Development Commission. I will be out of the office until the 5th of March. If you have any questions, feel free to call Steve Davis at 219-874-8316.

Sincerely,

Richard L. Wawrzyniak, P.E.  
Assistant Director  
Division of Water

RLW/cf

cc: Steve Davis  
Dan Gardner

Enclosure

PORTAGE BURNS WATERWAY

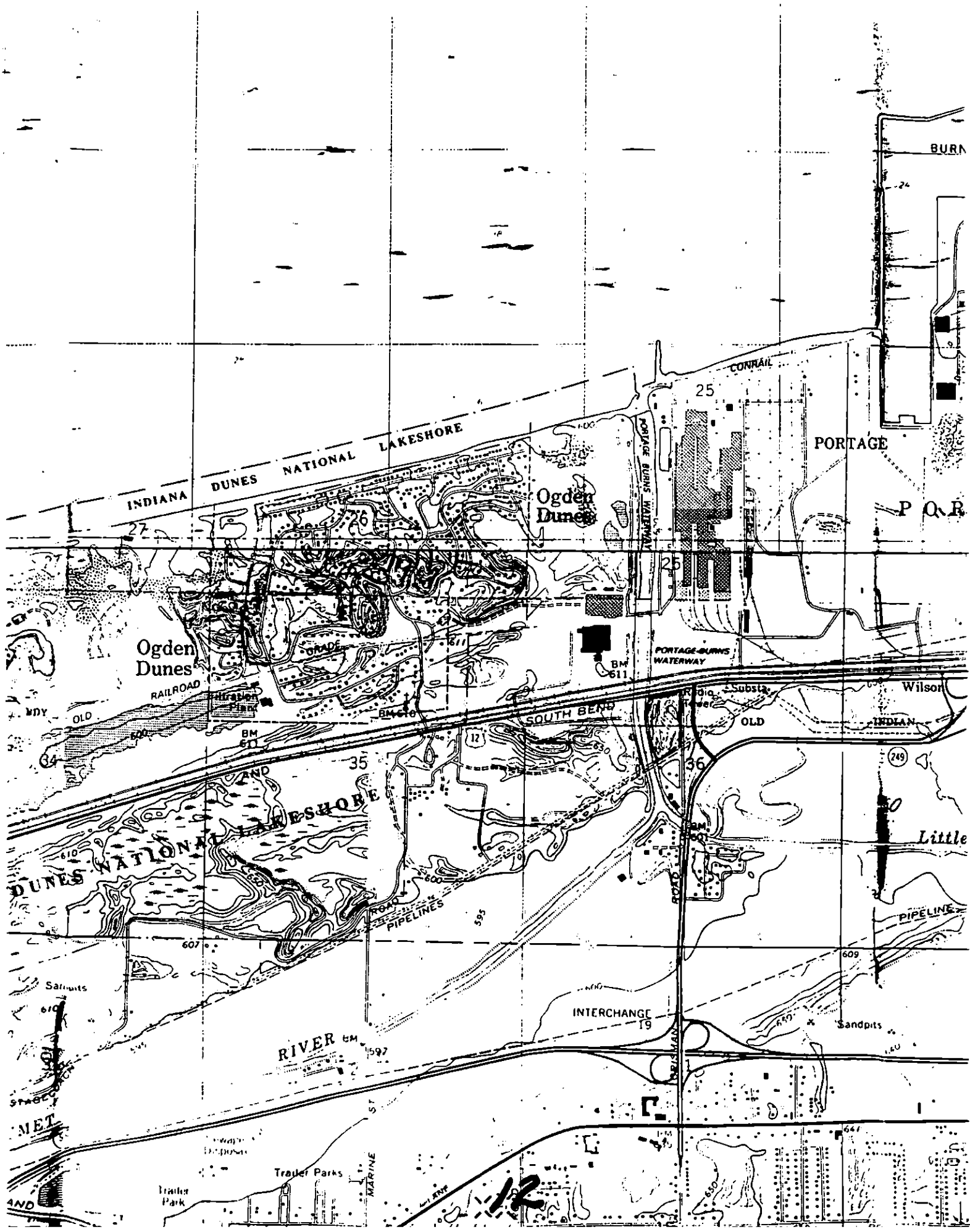
1"=300'

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PORTAGE BURNS WATERWAY

PORTAGE BURNS WATERWAY

11



# Permits sought to build three private marinas

Slips for public must be included  
since taxes were used for waterway

By Tom Knightly

Staff writer

Private interests have applied for permits to build three marinas on the Portage Burns Waterway that include 1,354 boat slips.

That is not exactly what the U.S. Army Corps of Engineers had in mind when it built the \$4 million breakwater at the mouth of the waterway, which was completed in 1986.

Since taxpayer money paid for the project, it was intended to benefit the public and not just private interests.

In fact, a requirement written into the agreement with the Corps of Engineers specified that a certain number of boat slips were to be set aside for public use.

The contractual obligation to see that the public use requirement is met rests with the Little Calumet River Basin Development Commission.

The commission's executive director, Dan Gardner, said there are no allowances for public access to the three private marinas now being considered for permits by the Indiana Department of Natural Resources.

Before the DNR issues permits for the private marinas, Gardner said, "We must make sure that the public is not going to be shut out."

He said he is concerned private marinas will exhaust the waterway's boating capacity, leaving no room for public boat slips.

Permit applications are on file with the state DNR for Harbor Cove Marina's 454 slips; Portage Landing Yacht Club's 250 slips; and the Jacob

Walton League's 250 slips.

Extensive sandmining has taken place at Lefty's Coho Landing, creating a potentially large boat basin, but the operator of Lefty's has not applied for a permit to create a marina, said Gardner.

DBH Corp. last fall purchased Lefty's Coho Landing from Robert "Lefty" Frum and announced plans to develop the site for year-round condominiums with boat slips on about 150 acres on the west side of the waterway.

Besides all the talk of private marinas, there are already numerous small piers along the waterway.

"The cumulative effect of all the marinas has to be taken into account in considering how to proceed with issuing permits," Gardner said.

He said he is seeking "guidance" from the Corps of Engineers, which has authority over construction of facilities on navigable waterways, about how to deal with the public access requirement.

The state committed construction funds for the breakwater and in the process we made commitments about public use that still are in effect, said Gardner. The state and federal government each provided \$2 million for the breakwater.

As sponsors of the breakwater project, we are responsible for seeing that a public-access marina is developed," said Gardner. He said the commission has acquired a proposed site for a marina across from Lefty's and has tried to attract a private oper-

## Marinas

... from Page

ator. He said at one time Frum was going to build the marina but bowed out.

The commission is still trying to find a developer to lease the site for a marina, Gardner said.

In order to meet the public access requirement, the commission would have to see to it that slips at the marina are made available for rent by anyone, said Gardner. "It could not be operated as a private club and no one could be excluded," he said.

He said if the number of applicants outnumbered the boat slips available, the selection would have to be done by lottery to assure equal access.

The number of marinas have to be restricted in order to avoid congestion on the waterway, Gardner said.

He said the waterway is very wide and can handle on many craft safely.

"Right now we don't know how many boat slips the waterway can accommodate," he said.

The Corps of Engineers and DNR also are concerned about congestion, as are environmentalists who are worried about the boat traffic will do to fish the water quality, Gardner said.

All these concerns could result in a limit on the number of slips that will be allowed, Gardner.



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ATTENDANCE ROSTER

Name of meeting: LCCBDC

Date: 3-1-90

	NAME (please print)	Organization and/or Address	
1	Elizabeth S. McCloskey	Izaak Walton League	1
2	TERRENCE McCLOSKEY	" " "	2
3	HAROLD MAUGER	3379 CALHOUN ST GARY	3
4	Jerry PAGAC		4
5	RICHARD Bunde		5
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Chairman: Doyle Niemeyer

Location:

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION      F O R   M A R C H   M E E T I N G

M O N T H L Y      B U D G E T      R E P O R T

BUDGET CODE	BUDGET CATEGORY	BUDGET AMOUNT	AMOUNT PAID PREVIOUSLY	UNPAID BALANCE	AMOUNT READY FOR PAYMENT	PROJECTED BALANCE
119	PER DIEM EXPENSES	16000.00	0.00	16000.00	0.00	16000.00
311	LEGAL SERVICES	7500.00	283.33	7216.67	337.33	6879.34
312	NIRPC SERVICES	94000.00	4675.67	89324.33	4869.98	84454.35
323	TRAVEL MILEAGE	6000.00	0.00	6000.00	105.00	5895.00
331	PRINTING ADVERTISING	2500.00	289.65	2210.35	101.73	2108.62
341	BONDS INSURANCE	7500.00	228.00	7272.00	0.00	7272.00
361	EMERGENCY MAINTENANCE COSTS	3500.00	0.00	3500.00	0.00	3500.00
399	MEETING EXPENSES	3000.00	0.00	3000.00	0.00	3000.00
411	LEGAL SERVICES	50000.00	1887.00	48113.00	2046.00	46067.00
412	PROFESSIONAL SERVICES	150000.00	28344.44	121655.56	4540.47	117115.09
413	LAND PURCHASE COSTS	5790576.00	0.00	5790576.00	3053.00	5787523.00
414	LAND CAPITAL IMPROVEMENTS	150000.00	0.00	150000.00	0.00	150000.00
415	BURNS WATERWAY BREAKWATER	0.00	0.00	0.00	0.00	0.00
416	STRUCTURES CAPITAL IMPROVEMENT	40000.00	0.00	40000.00	0.00	40000.00
417	PROPERTY/STRUCTURES INSURANCE	25000.00	0.00	25000.00	0.00	25000.00
		6345576.00	35708.09	6309867.91	15053.51	6294814.40

C L A I M S      R E A D Y      F O R      P A Y M E N T

UDGET CODE	VENDOR NAME	AMOUNT	EXPLANATION OF CLAIM
311	LOUIS M. CASALE	337.33	ATTORNEY RETAINER FEE FOR FEBRUARY 1990
312	NIRPC	4869.98	FOR SERVICES PERFORMED DURING JANUARY 1990
323	DOYLE NIEMEYER	12.00	MILEAGE EXPENSES RE: NAFSMA CONFERENCE
323	ALLSTYLE TRAVEL SERVICES	93.00	EXPENSES INCURRED RE: MEETING WITH CORPS
331	POST-TRIBUNE	27.52	LEGAL NOTICE EXPENSE
331	THE TIMES	28.31	LEGAL NOTICE EXPENSE
331	STAR REGISTER	20.90	LEGAL NOTICE EXPENSE
331	HAL LIEBER'S	25.00	COST INCURRED RE: PLAQUE EXPENSE
411	LOUIS M. CASALE	2046.00	LAND ACQUISITION LEGAL SERVICES FEBRUARY 1990
412	CHICAGO TITLE INSURANCE	190.00	TITLE WORK INCURRED ON DC289
412	CHICAGO TITLE INSURANCE	190.00	TITLE WORK INCURRED ON DC277
412	ROBERT B. STOUFFER	840.00	LAND ACQUISITION/MANAGEMENT SERVICES 2/12 - 23/90
412	CHICAGO TITLE INSURANCE	190.00	TITLE WORK INCURRED ON DC292
412	CHICAGO TITLE INSURANCE	1140.00	TITLE WORK INCURRED ON DC301,278,271,253,237 & 232
412	CHICAGO TITLE INSURANCE	975.00	TITLE WORK INCURRED ON DC227,324,344,272 & 330
412	NIPSCO	140.97	UTILITY BILL 1/15 THRU 2/13/90
412	ROBERT B. STOUFFER	410.75	LAND ACQUISITION/MANAGEMENT SERVICES 2/26 - 3/1/90
412	ROBERT B. STOUFFER	463.75	LAND ACQUISITION/MANAGEMENT SERVICES 2/2 - 2/9/90
413	FANNIE BASS	525.00	PURCHASE PRICE OF PROPERTY ON DC238
413	FREDDIE BUCKHALTER	527.00	PURCHASE PRICE OF PROPERTY ON DC309
413	WOODROW RODGERS	860.00	PURCHASE PRICE OF PROPERTY ON DC295
413	MORCLOUIS HORTON	790.00	PURCHASE PRICE OF PROPERTY ON DC292
413	DEIDROI WILLIAMS	351.00	PURCHASE PRICE OF PROPERTY ON DC277

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